

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 58

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RICHARD H. HALL et al.

Appeal No. 2002-1582
Application No. 09/172,577

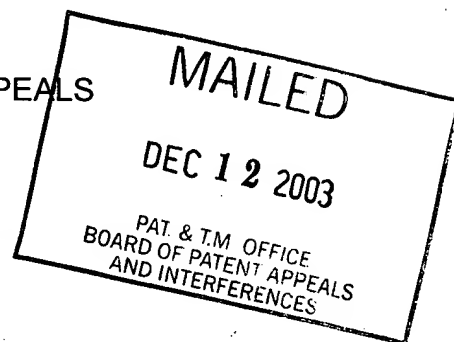
ORDER REMANDING TO EXAMINER

On November 17, 2003, appellants timely responded to the Examiner's communication dated November 6, 2003 (Paper No.56), by filing two papers entitled "Brief Reply to Examiner's Response to Second Remand" (Paper No. 57), and "Return of Paper to Office" (no paper number). There is no indication that the examiner was aware of these papers nor that the examiner considered the Reply Brief.

Accordingly, it is

ORDERED that the application is remanded to the Examiner to:

1) enter both the paper entitled "Return of Paper to Office" filed November 17, 2003;



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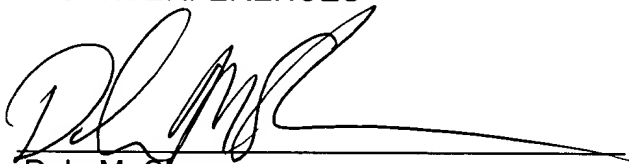
2) consider the paper entitled "Brief Reply to Examiner's Response to Second Remand" as a Reply Brief;

3) notify, in writing, appellant of said consideration; and

4) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'DMS', is written over a horizontal line.

Dale M. Shaw
Program and Resource Administrator
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DMS

cc. Christopher John Rudy
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